

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BRANDON BARELA,

Petitioner,

v.

Civ. 15-431 JCH/KK

JEFF WRIGLEY *et al.*,

Respondents.

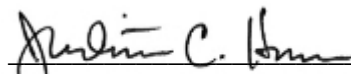
**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION
AND DISMISSING PETITION**

THIS MATTER comes before the Court on United States Magistrate Judge Kirtan Khalsa's Proposed Findings and Recommended Disposition (Doc. 13), filed September 1, 2016. In the Proposed Findings and Recommended Disposition, Magistrate Judge Khalsa recommended that Petitioner's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. 1) be dismissed with prejudice. (Doc. 13 at 22.)

The parties have filed no objections to the Magistrate Judge's Proposed Findings and Recommended Disposition. Failure to timely object to a magistrate judge's proposed findings and recommended disposition waives appellate review of both factual and legal issues. *United States v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 13) are ADOPTED.

IT IS FURTHER ORDERED that Petitioner's Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. 1) is DISMISSED WITH PREJUDICE.



HONORABLE JUDITH C. HERRERA
UNITED STATES DISTRICT JUDGE